



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 7, 1991

Ms. Elaine Piper
Assistant City Attorney
Police Legal Advisor
2 Civic Center Plaza
El Paso, Texas 79999

OR91-466

Dear Ms. Piper:

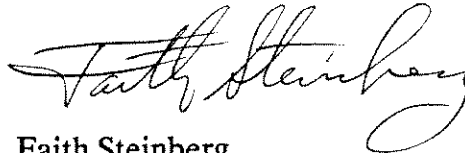
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. The information is the subject of two requests made to your office under the Open Records Act. Because the two requests concern the same material, we are answering both in this letter. Your requests to this office were assigned ID# 12915 and ID# 13494.

We have considered the exceptions you claimed, section 3(a)(3), (a)(7), and (a)(11) specifically, and have reviewed the documents at issue. Previous determinations of this office, Open Records Decision Nos. 588 (1991) and 551 (1990), copies of which are enclosed, resolve your request. Because the requested documents relate to pending litigation to which the state is a party, as well as to reasonably anticipated litigation to which it would be a party, you may withhold them under section 3(a)(3). Please note the discussion in Open Records Decision No. 551 concerning the duration of the section 3(a)(3) litigation exception. As we have resolved your request under section 3(a)(3), it is unnecessary to consider your arguments under other exceptions.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with

a published open records decision. If you have questions about this ruling, please refer to OR91-466.

Yours very truly,

A handwritten signature in cursive script, reading "Faith Steinberg".

Faith Steinberg
Assistant Attorney General
Opinion Committee

FS/lb

Ref.: ID# 12915, 13494

Enclosure: Open Records Decision Nos. 588, 551.

cc: Mr. Scott Ogrey
1230 Southwestern
El Paso, TX. 79912

Mr. Alfonso L. Melendez
11335 Pelicano
El Paso, TX. 79936